

Regular Session, 2010

SENATE BILL NO. 482

BY SENATOR LAFLEUR

SPECIAL DISTRICTS. Provide for dissolution of parish road districts in St. Landry Parish.
(See Act)

AN ACT

To amend and reenact R.S. 48:601(A), to enact R.S. 48:601(E), and to repeal R.S. 48:601(D)(2)(c), relative to St. Landry Parish; to provide for the absorption of parish road districts upon creation of a new parishwide road district; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:601(A) is hereby amended and reenacted, and R.S. 48:601(E) is hereby enacted to read as follows:

§601. St. Landry Parish Road District

A. Notwithstanding any provision of law to the contrary, specifically R.S. 48:573 and R.S. 48:590, the governing authority of St. Landry Parish is hereby authorized to establish a road district, **and such district shall become effective upon approval by a majority of the registered voters of St. Landry Parish voting on the proposition at an election held for that purpose in accordance with the Louisiana Election Code.** ~~which~~ **This district** shall be comprised of St. Landry Parish in its entirety.

* * *

E.(1) Notwithstanding any provision of law to the contrary, upon the district becoming effective, the parish road districts created pursuant to R.S. 48:600, 600.1, 600.2, 600.3 and 600.4 shall be absorbed into the district and shall be subject to the provisions of this Section.

(2) The district shall be the successor to any district absorbed pursuant to this Subsection. All unfinished business, documents, liens against property for unpaid taxes, money, movable, and immovable property, and books and records of the absorbed road districts shall be transferred to and become the responsibility and property of the district. Any legal proceeding to which the district is a party and which is filed, initiated, or pending before any court on the effective date of abolition and all documents involved in or affected by said legal proceeding shall retain their effectiveness and shall be continued in the name of the district. All obligations of the absorbed districts shall become the obligations of the St. Landry Parish Road District.

(3) Until such time as the district proposes a parish wide tax and it is approved by voters as provided in Subsection D, the district shall continue to levy the ad valorem and sales taxes authorized by the electorate of each former district, and the revenues generated in each former district must be utilized for benefit of that former district.

Section 2. R.S. 48:601(D)(2)(c) is hereby repealed.

Section 3. This Act shall become effective upon the first date to occur among the following: (1) the signature of the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana, or (2) if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such action, or (3) July 1, 2010.

The original instrument was prepared by James Benton. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

DIGEST

LaFleur (SB 482)

Present law provides that the governing authority of St. Landry Parish is hereby authorized to establish a road district, which shall be comprised of St. Landry Parish in its entirety.

Proposed law retains present law and provides that the authority to create the district is contingent on the voter approval of the electorate of St. Landry Parish.

Present law provides that upon the creation of the district, districts created pursuant to present law shall be absorbed into the district and shall be subject to the provisions of this proposed law.

Proposed law provides that the St. Landry Parish Road District shall be the successor to any district that is absorbed pursuant to present law. All unfinished business, documents, liens against property for unpaid taxes, money, movable, and immovable property, and books and records of the absorbed road districts shall be transferred to and become the responsibility and property of the St. Landry Parish Road District. Any legal proceeding to which the district is a party and which is filed, initiated, or pending before any court on the effective date of abolition and all documents involved in or affected by said legal proceeding shall retain their effectiveness and shall be continued in the name of the parish. All obligations of the absorbed districts shall become the obligations of the district. Any revenues assumed by the district shall be used in or for the benefit of the area comprising the former district.

Proposed law provides that until the district proposes and voters approve a parish wide tax, the district shall continue to levy the ad valorem and sales taxes authorized by the electorate of each former district, and the revenues generated in each former district must be utilized for benefit of that former district.

Effective on the first date to occur among the following:

- (1) the date of signature of the bill by the governor or upon expiration of time for bills to become law without the governor's signature.
- (2) if vetoed by the governor and subsequently approved by the legislature, the date following such legislative action, or
- (3) July 1, 2010.

(Amends R.S. 48:601(A); adds R.S. 48:601(E); repeals R.S. 48:601(D)(2)(c))

Summary of amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Changes effective date from July 1, 2010, to the earliest date of governor's signature, or override of a veto by legislature, or July 1, 2010.